

Sector #

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Christian KILGER et al

Serial No.: 09/339,103

Filed: June 24, 1999



**ATTN:** Box Missing Parts

For: METHOD FOR THE UNCOUPLED, DIRECT, EXPONENTIAL AMPLIFICATION AND SEQUENCING OF DNA MOLECULES WITH THE ADDITION OF A SECOND THERMOSTABLE DNA POLYMERASE AND ITS APPLICATION

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Assistant Commissioner  
Washington, D.C. 20231

September 22, 1999

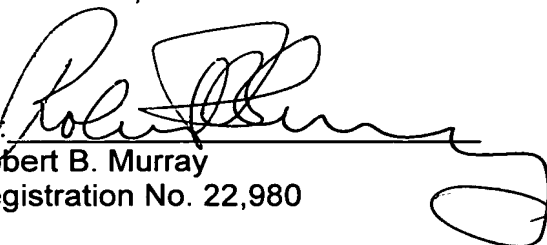
Sir:

A In response to the Notice to File Missing Parts of Application dated July 22, 1999 and Notice of Incomplete Reply dated August 6, 1999, enclosed is the executed Declaration and Power of Attorney for the above-identified patent application.

A check in the amount of Two Thousand Nine Hundred Sixteen Dollars (\$2,916) is enclosed to cover the cost of the government filing fee of Two Thousand Seven Hundred Forty Six Dollars (\$2,746), the surcharge for the late filing of the declaration of One Hundred Thirty Dollars (\$130), and the Recordation of Assignment fee of Forty Dollars (\$40).

In the event that this paper is not timely filed, applicants hereby petition for an appropriate extension of time. The fees for any such extension may be charged to our Deposit Account No. 14-1060.

Respectfully submitted,  
NIKAIDO, MARMELSTEIN, MURRAY & ORAM LLP

By:   
Robert B. Murray  
Registration No. 22,980

Atty. Case No. P1614-8090  
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Suite 330 - G Street Lobby  
655 15th Street, N.W.  
Washington, D.C. 20005-5701  
Telephone: (202) 638-5000  
RBM/cb  
CIC #20875

CPI

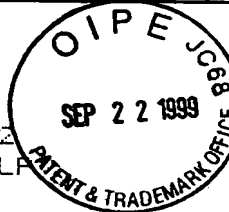

**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

 Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

#4

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/339,103	06/24/99	PAABO	S P1614-8090

0232/0722

 NIKAI DO MARMELESTEIN MURRAY & ORAM LLP  
METROPOLITAN SQUARE  
655 FIFTEENTH STREET NW  
SUITE 300 G STREET LOBBY  
WASHINGTON DC 20005-5701


NOT ASSIGNED

1643

DATE MAILED:

07/22/99

W P1614-8090

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
Filing Date Granted

Sept 22, 1999

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required below to **avoid abandonment**. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☐ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a

☐ small entity (statement filed) ☒ non-small entity is \$ 2748
☒ 1. The statutory basic filing fee is:

- ☒
- missing.
- 
- ☐
- insufficient.

 Applicant must submit \$ 760 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☒ 2. The following additional claims fees are due:

 \$ 1908 for 106 total claims over 20.

\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒
- is missing or unsigned.
- 
- ☐
- does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

 Customer Service Center  
Initial Patent Examination Division (703) 308-1202

 DOCKETED BY  
DATE 12/1/99

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07/24/1999  
760.00 BP  
1908.00 BP  
130.00 BP  
76.00 BP  
01 FC:01  
02 FC:03  
03 FC:05  
04 FC:02



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARK  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/339,103	06/24/99	PAABO	S P1614-8090

0232/0806  
NIKAIDO MARMELESTEIN MURRAY & ORAM LLP  
METROPOLITAN SQUARE  
655 FIFTEENTH STREET NW  
SUITE 300 G STREET LOBBY  
WASHINGTON DC 20005-5701

DATE MAILED: 1643



**NOTICE OF INCOMPLETE REPLY**  
**(Filing Date Granted)**

The reply filed on 7/28/99 to the Notice to File Missing Parts (Notice) mailed on 7/22/99 has been entered into the application. The reply, however, is incomplete for the following reason(s).

- ☐ 1. The filing fee required by the Notice has not been received. The amount of \$ \_\_\_\_\_ is due.
- ☐ 2. The surcharge of \$ \_\_\_\_\_ has not been received.
- ☒ 3. The oath or declaration for this nonprovisional application has not been received.
- ☐ 4. The oath or declaration for this nonprovisional application is not executed in compliance with 37 CFR 1.64(a) because:
  - ☐ a. The inventor's signature is missing.
  - ☐ b. The signature is missing for inventor(s) \_\_\_\_\_
  - ☐ c. The application is one filed under 37 CFR 1.42, 1.43, or 1.47, and the oath or declaration is not executed by the person(s) qualified to make the oath or declaration.
- ☐ 5. The cover sheet (37 CFR 1.151(c)(1)) for this provisional application has not been received.
- ☐ 6. The reply does not include \_\_\_\_\_ as required by this Notice.


A complete reply must be timely filed to prevent **ABANDONMENT** of the above-identified application.

The period for reply remains as set forth in the Notice. You may, however, obtain an **EXTENSION OF TIME** under the provisions of 37 CFR 1.136(a) by filing a petition accompanied by the appropriate fee (37 CFR 1.17(a)).

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

  
8-12-99

**PART 2 - COPY TO BE RETURNED WITH RESPONSE**